IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 11906 of 2004

Between:

M. Barnabas, S/o Simon Peter,
M.P.U.P. School, Gottipadia, Markapuram Mandal, Prakasham District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Education Department,
rep. by its Secretary, Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, Saifabad, Hyderabad.
3 The District Educational Officer, Ongole, Prakasam District.
4 D. Nayomi, W/o Charles John,
R/o R. Ummadivaram, Pullalacheruvu mandal, Prakasam District.
5 K. Anandarama Rao, S/o K. Radhakrishnaiah,
C/o District Educational Officer, Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of "Writ of Mandamus" by declaring impugned proceedings in Rc.No. 746/A1/99 dated 11-6-2004 of the 3rd respondent as illegal, arbitrary and set aside the same being unconstitutional and contrary to the judgment and orders passed in W.P.No. 10586/1999 and batch dated 28-8-2000 and also O.A.No. 4864/2003 dated 12-4-2004 consequently direct the respondents to continue the petitioner with all incidental benefits attached to the post of S.G.B.T.

Counsel for the Petitioner:MR.V.AJAYAKUMAR

Counsel for the Respondent No. 1 to 3.: GP FOR EDUCATION

Counsel for Respondents 4 and 5 : Mr. B. Nageswara Rao

The Court made the following :

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O R D E R : (per Hon'ble Sri Justice G. Bikshapathy)

It is now brought to the notice of this Court by the learned Government Pleader that for the similar identical relief the petitioner had already filed O.A.No. 4864 of 2003 before the Andhra Pradesh Administrative Tribunal, Hyderabad. Therefore, the writ petition is not maintainable.

2. Accordingly, we hold that the Writ Petition is dismissed as not maintainable. However, it is for the petitioner to approach the Andhra Pradesh Administrative Tribunal for seeking appropriate orders in the above pending O.A.

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G. BIKSHAPATHY, J

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B. SESHASAYANA REDDY,J

Dated: 13-07-2004

Vp/mjl

To

1. The Government of A.P. Education Department,

Represented by its Secretary, Secretariat, Hyderabad,

2. The Commissioner & Director of School Education,

Saifabad, Hyderabad,

3. The District Educational Officer, Ongole, Prakasham Dist,

4. 2 CCs to the Government Pleader of Education,

High Court of A.P. Hyderabad,

5) 2 CDs